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Commissioner of Patents and Trademarks, Alexandria, VA, on
11/8/05
(Date of Deposit)
Mathieu Vargot
(Signature)
11/8/05
(Date of Signature)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Group Art Unit: 1732
Kent C. Burr : Examiner: Mathieu Vargot
Serial No. 10/632,261 :
Filed: Aug. 1, 2003 :

For: METHOD FOR GENERATING OPTICAL
ANISOTROPY IN SCINTILLATORS
USING PULSED LASERS

PETITION TO RESET A PERIOD FOR REPLY DUE TO LATE RECEIPT OF AN
OFFICE ACTION UNDER MPEP §710.06

Honorable Assistant Commissioner of Patents and Trademarks,
Alexandria, VA

SIR:

Applicant, by his attorney, hereby respectfully requests that the period for reply for the Office Action in this case, mailed 07/08/2005, be reset, for the reasons set forth below.

The Office Action mailed 07/08/2005, was sent to Thomas E. Donohue, Artz & Artz, P.C. Suite 250, 2833 Telegraph Road, Southfield, MI 48034. Applicant respectfully submits that a Revocation of Power of Attorney and Change of Address was sent to the USPTO on February 11, 2005. Applicant has the Post Card that the USPTO received the change of address February 15, 2005. Still further Applicant has a copy of the Office Action which was obtained when Applicant discovered its existence through PAIR. It was docketed into Applicant's system October 31, 2005.

Best Available Copy

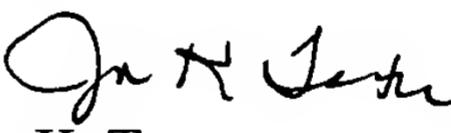
Enclosed for the Commissioner's consideration are the following documents:

1. A copy of the Revocation of POA and Change of Address sent to the USPTO on February 11, 2005.
2. A copy of the Post Card sent February 11, 2005 and received in the USPTO on February 15, 2005.
3. A copy of the Office Action with our docket room received stamp with the date October 31, 2005, the date we actually obtained a copy of the Office Action.
4. Response to Office Action dated July 8, 2005.

There should be no fee required for this petition. The Assistant Commissioner is authorized to charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account No. 07-0868.

In view of the foregoing facts and verified showing thereof, it is respectfully submitted that Applicant should be granted the Petition of Reset A Period For Reply Due To Late Receipt of an Office Action and that the Response to the Restriction Requirement filed concurrently with this petition be considered timely filed.

Respectfully submitted,


Jean K. Testa
Reg. No. 39,396

General Electric Company
Building K1, Room 3A62
Niskayuna, New York 12309
Telephone: (518) 387-5115 or (518) 387-7122

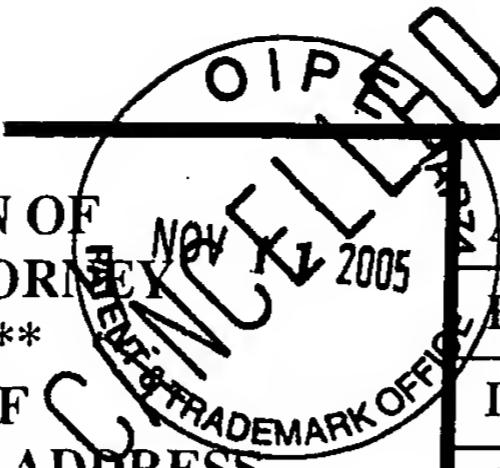
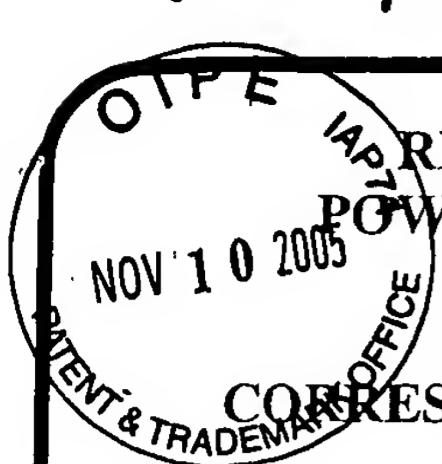
Mar. 7, 2005

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SN. 10/632,261

129640-1

1



Application Number:	10/623,261
Filing Date:	8/1/03
Inventor(s):	Kent C. Burr
Group Art Unit:	2882
Examiner Name:	
Attorney Docket Number:	129640-1

I hereby REVOKE all previous powers in the above-identified application for the Practitioner(s) listed below:

Thomas E. Donohue, Reg. No. 44,660, and Practitioners at Customer Number 027256
 Artz & Artz, P.C.
 28333 Telegraph Road, Suite 250
 Southfield, MI 48034

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark office connected therewith.

and APPOINT PRACTITIONERS AT CUSTOMER NUMBER 006147.

Please change the correspondence address for the above-identified application to:

Practitioners at Customer Number: 006147
 General Electric Company
 Patent Docket Room Bldg. K1-4A59
 1 Research Circle
 Niskayuna, NY 12309

I am the:

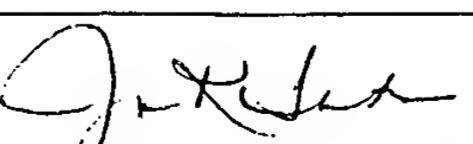
Applicant/Inventor
 Assignee of record of the entire interest.
 Statement under 37 CFR 3.73(b) (below)

STATEMENT UNDER 37 CFR 3.73(b)

General Electric Company, a Corporation, certifies that it is the assignee of the patent application identified above by virtue of an assignment from the inventor(s). The assignment was recorded in the Patent and Trademark office at Reel _____ and Frame(s) _____ or if no reel and frame information is available, a copy of the executed Assignment is submitted herewith.

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of the assignee.

Available Copy

SIGNATURE OF Applicant or Assignee of Record		
Name & Title	JEAN K. TESTA, PATENT COUNSEL	Registration No. 39,396
Signature		
Date	2/9/05	Telephone (518) 387-5115

ASSIGNMENT		Docket No. 129640-1 (GEGRC 0104 PA)
<p>In consideration of One Dollar and Other good and valuable consideration, of which I acknowledge receipt, I (we) Kent Charles Burr of Latham, New York of of of of of of of of sell and assign to GE Medical Systems Global Technology Company, LLC, a Delaware limited liability company, (hereinafter referred to as the "Company"), its successors and assigns the entire right, title and interest in and to the improvements in:</p> <p>METHOD FOR GENERATING OPTICAL ANISOTROPY IN SCINTILLATORS USING PULSED LASERS</p> <p>invented by me (us), as described in the application for United States patent</p> <p><input checked="" type="checkbox"/> executed concurrently herewith, or</p> <p><input type="checkbox"/> U.S. Serial No.: _____, filed _____</p> <p>and any and all applications for patent and patents therefor in any and all countries, including all divisions, reissues, continuations and extensions thereof, and all rights of priority resulting from the filing of said United States application, and authorize and request any official whose duty it is to issue patents, to issue any patents on said improvements or resulting therefrom to said Company, or its successors or assigns and agree that on request and without further consideration, but at the expense of said Company, I will communicate to said Company or its representatives or nominees any facts known to me respecting said improvements and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid said Company, its successors, assigns, and nominees to obtain and enforce proper patent protection for said improvements in all countries.</p> <p><u>7/31/2003</u> Date</p> <p><u>Kent Charles Burr</u> Kent Charles Burr</p> <p>State of <u>New York</u>) County of <u>Schenectady</u>) SS: This <u>31</u> st day of <u>July</u>, 20 <u>03</u>, before me personally came the above-named <u>Kent Charles Burr</u> to me personally known as the individual who executed the foregoing assignment, who acknowledged to me that he/she executed the same of his/her own free will for the purposes therein set forth.</p> <p><u>Rita M. Lynch</u> (Notary Public)</p> <p>ROTA M. LYNCH Notary Public, State of New York Qual. in Rensselaer Co. No. 011Y6099764 Commission Expires <u>8/21/08</u></p>		

Page 1 of 1

February 11, 2005

Revocation of Power of Attorney; Change of Correspondence Address; Statement Under 37 CFR 3.73(b). Copy of Assignment.

The following XXXXXXXXXXXXXXXXX has been received by the Patent Office on the date stamped below.

Inventor	Kent C. Burr
Serial No.	10/623,261
Docket No.	129640-1

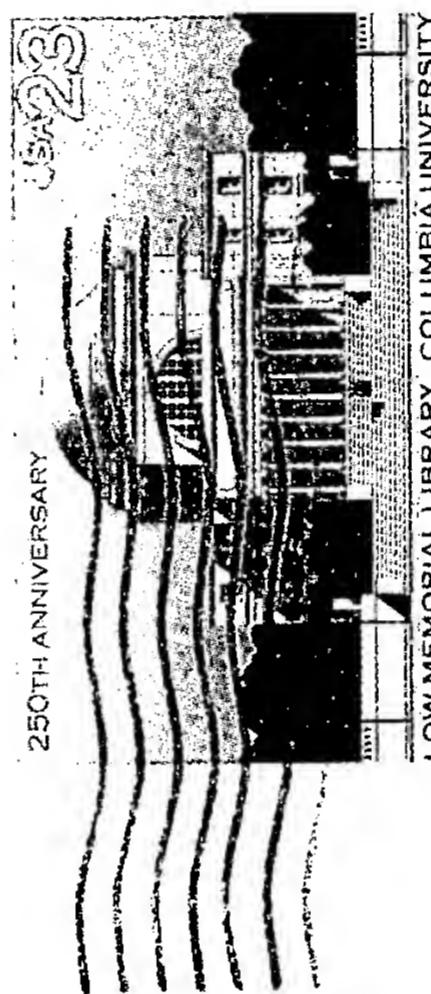
Testa



S.N. 10/632, 261



129640-1

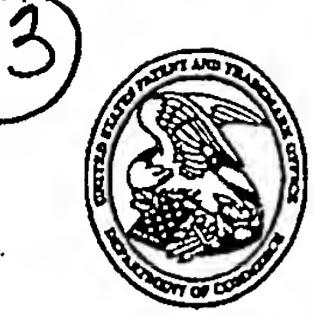


Global Research
GENERAL ELECTRIC CO.
Patent Docket Rm. K1-4A59 - Ross
One Research Circle
Niskayuna, NY 12309

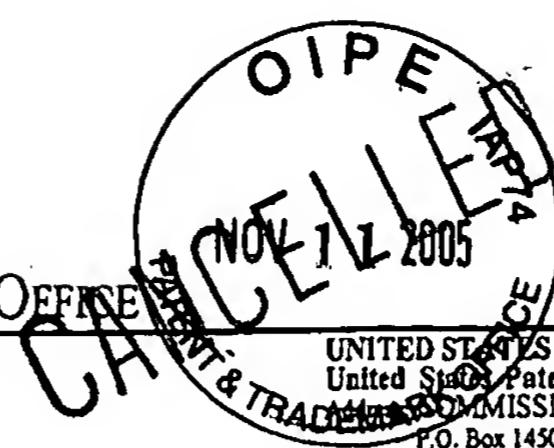
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SN. 10/632,261

129640-1



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UNITED STATES PATENT AND TRADEMARK OFFICE



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United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,261	08/01/2003	Kent Charles Burr	129640 (GEGRC 0104 PA)	5497

7590 07/08/2005

Thomas E. Donohue
Artz & Artz, P.C.
Suite 250
28333 Telegraph Road
Southfield, MI 48034

OCT 5 1 2005

EXAMINER

BECK, DAVID THOMAS

ART UNIT

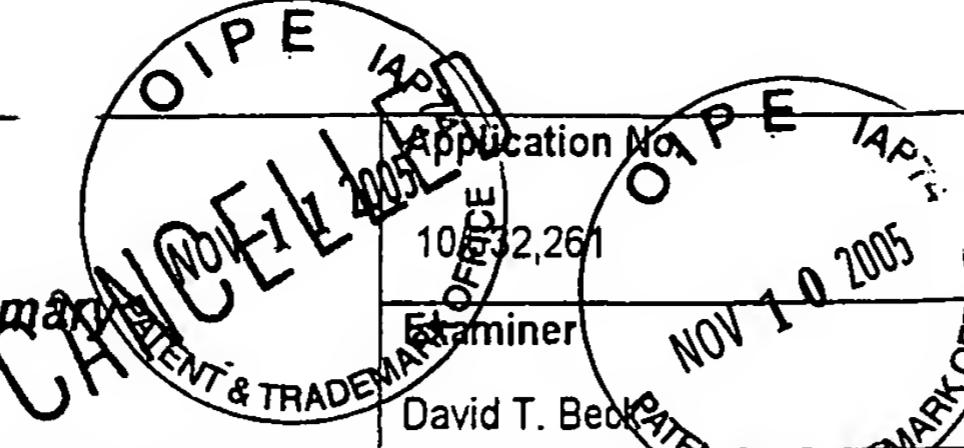
PAPER NUMBER

1732

DATE MAILED: 07/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Best Available Copy

Office Action Summary**Applicant(s)**

BURR, KENT CHARLES

Art Unit

1732

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --***Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 01 August 2003.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-29 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) _____ is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) 1-29 are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.

2. Certified copies of the priority documents have been received in Application No. _____.

3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Best Available Copy**Attachment(s)**

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application (PTO-152)

6) Other: _____.

DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-20, drawn to a method of making an imaging component, classified in class 264, subclass 400.
 - II. Claims 21-25, drawn to a method of manufacturing an anisotropic scintillator, classified in class 378, subclass 19.
 - III. Claims 26-29, drawn to an anisotropic scintillator, classified in class 250, subclass 370.11.
2. The inventions are distinct, each from the other because of the following reasons:
3. Inventions II and III are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the scintillator element claimed could be made by another and materially different process such as using chemical vapor deposition.
4. Inventions II and I are related as mutually exclusive species in an intermediate-final product relationship. Distinctness is proven for claims in this relationship if the intermediate product is useful to make other than the final product (MPEP § 806.04(b), 3rd paragraph), and the species are patentably distinct (MPEP § 806.04(h)). In the instant case, the intermediate product is deemed to be useful as an anisotropic scintillator which may be used to change invisible light rays, such as x-rays into visible

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light and the inventions are deemed patentably distinct since there is nothing on this record to show them to be obvious variants. Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions anticipated by the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. 103(a) of the other invention.

5. Inventions III and I are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case the apparatus can be used to practice another and materially different process such as changing invisible light rays such as x-rays into visible light.

6. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

7. A telephone call was made to Thomas Donohue on 6/28/05 to request an oral election to the above restriction requirement, but did not result in an election being made.

Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David T. Beck whose telephone number is 571-272-2942. The examiner can normally be reached on Monday - Friday, 8AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Colaianni can be reached on 517-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DTB
June 28, 2005

DTB



MICHAEL P. COLAIANNI
SUPERVISORY PATENT EXAMINER

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